

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ALFONSO WELLS, JR.,

Plaintiff,

v.

Case No. 20-CV-1510

SGT HESTHEAVEN, *et al.*,

Defendants.

ORDER

Pro se plaintiff Alfonso Wells filed this complaint under 42 U.S.C. § 1983 alleging that the defendants violated his civil rights. (ECF No. 1.) Wells' complaint packet was incomplete (and he did not explain how he planned to pay for the lawsuit), so the clerk's office sent him a letter on September 29, 2020 instructing him to submit certain documents within 21 days. (ECF No. 8.) The clerk's office warned Wells that failure to submit these documents would result in dismissal of the case. (*Id.*) As of today, Wells still has not submitted the necessary documents, including the documents related to paying for this lawsuit.

To proceed with this case, Wells must either pay the full civil case filing fee of \$400 or submit his motion for leave to proceed without prepayment of his filing fee, along a complete six-month trust account statement. If Wells fails to comply with this order, this case will be dismissed without prejudice based on his failure to diligently prosecute it. *See* Civ. L. R. 41(c) (E.D. Wis.) ("Whenever it appears to the Court that

the plaintiff is not diligently prosecuting the action . . . the Court may enter an order of dismissal with or without prejudice.”)

IT IS ORDERED that, that on or before **November 4, 2020**, Wells must either pay the full civil case filing fee of \$400 or submit his motion for leave to proceed without prepayment of his filing fee, along a complete six-month trust account statement. If Wells fails to comply with this order, this case will be dismissed without prejudice based on his failure to diligently prosecute it.

Dated in Milwaukee, Wisconsin this 23rd day of October, 2020.



STEPHEN C. DRIES
United States Magistrate Judge